

From: Soscia.Marylou@epamail.epa.gov
To: Szelag.Matthew@epamail.epa.gov
Date: Monday, June 18, 2012 5:34:25 PM
Attachments: [Treaty Rights 20110202.pdf](#)

#2

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----- Forwarded by Marylou Soscia/R10/USEPA/US on 06/18/2012 05:34 PM -----

From: "McCormack, Craig (ECY)" <cmcc461@ECY.WA.GOV>
To: Marylou Soscia/R10/USEPA/US@EPA
Date: 10/11/2011 03:52 PM
Subject: FW: Ecology news: Ecology starts dialogue about reducing toxic chemicals in fish to better protect public health

Marylou

Press release is noted in the correspondence below. Below is the fish consumption web portal page link:

<http://www.ecy.wa.gov/toxics/fish.html>

The fish consumption rate report can be accessed through this link.

Regards/Craig

From: MTCA Cleanup Regulation and Sediment Management Standards Rule Making Updates [<mailto:MTCA-SMS-RULE-UPDATE@LISTSERV.WA.GOV>] **On Behalf Of** Hankins, Martha (ECY)
Sent: Tuesday, October 11, 2011 1:09 PM
To: MTCA-SMS-RULE-UPDATE@LISTSERV.WA.GOV
Subject: Ecology news: Ecology starts dialogue about reducing toxic chemicals in fish to better protect public health

Washington Department of Ecology news
FOR IMMEDIATE RELEASE - Oct. 11, 2011
11-275

Ecology starts dialogue about reducing toxic chemicals in fish to better protect public health

OLYMPIA - The Washington Department of Ecology (Ecology) wants Washingtonians to take part in a statewide effort to update environmental standards that will safeguard people who eat fish and shellfish from the state's waters.

The step follows progress Washington has made to prevent sources of toxic chemicals that contaminate our air, water, soil, food, and our bodies.

Washington has reduced mercury pollution and is phasing out persistent chemicals that build up in the food chain, such as toxic flame retardants. The state has taken steps to reduce and phase out the use of copper brake pads, lead wheel weights, copper boat paints, and chemicals in children's products.

"Ensuring that the state's environmental standards accurately reflect our citizens' exposure is the next step needed to reduce toxics in our environment and protect public health for Washington's fish and shellfish consumers," said Ecology Director Ted Sturdevant.

To get at the problem of toxics in fish and shellfish, Ecology is developing a more accurate view of how much fish and shellfish Washington residents eat.

Ecology is asking for comments on a newly released technical support document, which focuses on fish consumption in Washington and existing environmental and human health information. The draft document is called "Fish Consumption Rates Technical Support Document: A Review of Data and Information About Fish Consumption in Washington."

Washington uses fish consumption rates as a basis for environmental cleanup and pollution control. Washington currently uses two rates based on assumptions about how much fish and shellfish residents eat: 6.5 grams per day incorporated into water quality standards, and 54 grams per day, which is used in setting sediment and water cleanup standards. The rates were developed in the early 1980s and 1990s.

Current science indicates that the current fish consumption rates do not accurately reflect how much of our state's fish and shellfish Washingtonians actually eat each day. In fact, the available information indicates that some of us consume much larger amounts.

The [American Heart Association](#) recommends eating fish at least two times per week as part of a healthy diet. Fish is not only an important source of nutrition, but catching, preparing and eating fish are important cultural and family practices as well. Consequently it's vital to have environmental standards that protect people who eat fish from exposure to harmful

chemicals.

As Washington moves toward developing new, more accurate fish consumption rates, Ecology welcomes - and needs - involvement by many people and interests, including tribal nations, industries, municipalities, and residents.

Here's how the public can take part in this dialogue:

- View the draft document on [Ecology's new fish consumption web portal](http://www.ecy.wa.gov/toxics/fish.html). (<http://www.ecy.wa.gov/toxics/fish.html>)
- Email comments to Ecology at fishconsumption@ecy.wa.gov. Comments will be accepted until 5 p.m. Dec. 30, 2011.
- Join email listservs to get updates on rulemaking activities. You can find the listservs on the fish consumption web portal.
- On a regular basis during the comment period, Ecology will post comments it receives and other updates so the public can review them.
- Ecology plans to hold a public workshop to bring together many interests and viewpoints to talk about fish consumption in Washington. The workshop would provide an opportunity to learn and to gather comments and ideas about updating state standards. The workshop's date and location are pending.
- After the comment period ends, Ecology will evaluate and consider all feedback received through public discussions, written comments, discussions with tribes, and any other relevant sources.

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Media Contacts:

- **Seth Preston**, Toxics Cleanup Program communications manager, 360-407-6848; 360-584-5744 cell; seth.preston@ecy.wa.gov
- **Sandy Howard**, Water Quality Program communications manager, 360-407-6408; 360-791-3177 cell; sandy.howard@ecy.wa.gov

Fish consumption web portal: <http://www.ecy.wa.gov/toxics/fish.html>

Ecology's website: <http://www.ecy.wa.gov>

Ecology's social media: <http://www.ecy.wa.gov/about/newmedia.html>

Sandy Howard

Communications - Washington Department of Ecology

Water Quality Program - Environmental Assessment Program

360-407-6408 (desk) ~ 360-791-3177 (cell)

[cid:image001.jpg@01CC3D80.295471D0](#)

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For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

----- Forwarded by Marylou Soscia/R10/USEPA/US on 06/18/2012 05:34 PM -----

From: "McCormack, Craig (ECY)" <cmcc461@ECY.WA.GOV>
To: Dianne Barton <bard@critfc.org>
Cc: Aja DeCoteau <deca@critfc.org>, Barbara Harper <bharper@amerion.com>, Marylou Soscia/R10/USEPA/US@EPA, "McCormack, Craig (ECY)" <cmcc461@ECY.WA.GOV>
Date: 10/28/2011 07:49 AM
Subject: Tribal U & A's

Good Morning Dianne:

I thought the CRITFC meeting went very well with many important fish consumption related topics discussed and reviewed – we had many lively discussions and I look forward to continuing the dialogue and these discussions.

I have forwarded the news articles you sent me to our public information officer to be used and/or posted – thank you for sending that information. Ecology has many important fish consumption related messages to communicate and these articles I hope will establish a public communication standard.

The topic of tribal treaty reserved rights came up during our discussion and I noted an adjudicated court case law summary that helps define approximate geographic areas associated with tribal treaty reserved rights. The summary of tribal U & A's by Washington State's Attorney General's Office is an appendix to Washington State's Department of Transportation document : *WSDOT Model Comprehensive Tribal Consultation Process for the National Environmental Policy Act*. Links to the documents are provided below:

WSDOT Tribal consultation:

<http://www.wsdot.wa.gov/environment/tribal>

Link to the summary of U and A's for Western WA:

http://www.wsdot.wa.gov/NR/rdonlyres/E7D12CF6-9C54-4D9C-8325-F64D2A4BCE96/0/Appendix_B_UandA_Court_Orders.pdf

I started a draft companion document on treaty reserved rights but discontinued that effort due to competing time demands and my management's direction focused on fish consumption rate information only. I have attached an initial "DRAFT" document I was writing because it includes some GIS mapping to correspond to the U&A summary tables provided in the link above.

Thanks again for helping organize yesterday's meeting and I enjoyed meeting you personally.

Regards/Craig

(See attached file: Treaty Rights 20110202.pdf)

----- Forwarded by Marylou Soscia/R10/USEPA/US on 06/18/2012 05:34 PM -----

From: "McCormack, Craig (ECY)" <cmcc461@ECY.WA.GOV>
To: Marylou Soscia/R10/USEPA/US@EPA
Date: 11/17/2011 05:01 PM
Subject: recent article on fish consumption from WA State

http://www.huffingtonpost.com/2011/11/17/water-pollution-regulations-fish-seafood_n_1090928.html